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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CODY PORTER,

Defendant.

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Case No. 3:20-cr-00211-JO

UNOPPOSED MOTION TO  
CONTINUE TRIAL DATE

The defendant, Cody Porter, through counsel, Susan Russell, respectfully moves the Court to enter an order continuing the jury trial date in the above-captioned case for approximately 90 days (i.e., until July 20, 2021). Trial is currently scheduled for April 20, 2021. This constitutes Mr. Porter's second request to continue his trial date. The government, through Assistant U.S. Attorney (AUSA) Ashley Cadotte, does not oppose this continuance motion.

A continuance of the trial date for at least 90 days is necessary to provide the defense with adequate time to conduct independent investigation, including witness interviews; to engage in plea negotiations; and to prepare, if necessary, for trial. The defense also requires additional time to complete research into possible defenses, to research and file appropriate legal motions, and to otherwise prepare for trial. This case has recently been re-assigned to AUSA Cadotte and additional time is needed for the parties to conclude ongoing pretrial negotiations in this case and to review and supplement mitigation materials.

Defense counsel has spoken with Mr. Porter, explained the bases for requesting a continuance, and the rights that he has under the Speedy Trial Act (18 U.S.C. § 3161(h)(7)(A)). Mr. Porter knowingly and voluntarily waives his rights under the Speedy Trial Act. He respectfully requests that the Court continue his trial date for at least 90 days.

RESPECTFULLY submitted this 5th day of April 2021.

/s/ Susan Russell  
Susan Russell  
Assistant Federal Public Defender